United Nations S/2015/94

Security Council

Distr.: General
6 February 2015

Original: English

Letter dated 6 February 2015 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you herewith a letter dated 5 February 2015 from the Special Representative of the National Coalition of Syrian Revolution and Opposition Forces, Najib Ghadbian, in relation to the implementation of Security Council resolution 2118 (2013) (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Alya Ahmed S. **Al-Thani**
Ambassador
Permanent Representative

15-01615 (E) 090215

Please recycle

Annex to the letter dated 6 February 2015 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council

On behalf of the people of Syria and the National Coalition of Syrian Revolution and Opposition Forces, it is my grave responsibility to draw to your attention the Syrian regime's systematic use of chemical weapons in civilian-occupied areas, and the urgent need for the imposition of Chapter VII measures, as required by the Security Council in its resolution 2118 (2013).

On 4 February 2015, the Executive Council of the Organisation for the Prohibition of Chemical Weapons (OPCW) adopted its decision on the reports of the OPCW fact-finding mission in Syria. The Executive Council thereby confirmed the illegal use of deadly chemical agents throughout Syria during the spring and summer of 2014 (EC-M-48/DEC.1, dated 4 February 2015), expressing "serious concern" regarding the systematic use of chlorine gas by Syrian regime forces.

The OPCW decision was agreed on the basis of the reports of the OPCW fact-finding mission in Syria (S/1191/2014, dated 16 June 2014; S/1212/2014, dated 10 September 2014; and S/1230/2014, dated 18 December 2014). These reports found "compelling confirmation" that the toxic chemical chlorine gas was used "systematically and repeatedly" as a weapon of war in the opposition-held villages of Talmenes, Al Tamanah and Kafr Zita from April to August 2014. Victim accounts and the testimonies of medical personnel involved in administering treatment reported symptoms compatible with exposure to chemical agents, including vomiting, eye and skin irritation, choking and other respiratory problems. At least 12 people died as a result of these attacks, and as many as 480 others were injured.

There can no longer be any doubt: the Syrian regime bears full responsibility for the use of chlorine gas in Syria. As the independent international commission of inquiry on the Syrian Arab Republic confirmed in its eighth report on the human rights situation in Syria, "Government forces used chlorine gas, an illegal weapon" in Syria (A/HRC/27/60, dated 13 August 2014). The commission of inquiry furthermore determined that the chemical agent chlorine was deployed via "barrel bombs from government helicopters flying overhead". Only the Syrian regime boasts helicopters — thus underlining Syrian regime culpability for the illegal use of deadly chemical agents in Syria.

The use of chlorine gas by Syrian regime forces violates international humanitarian law and international human rights law, including Security Council resolution 2118 (2013), in which members of the Security Council unanimously determined that the use of chemical weapons constitutes a threat to international peace and security and decided that the "Syrian Arab Republic shall not use, develop, produce, otherwise acquire, stockpile or retain chemical weapons". The use of deadly chemical agents also violates the Syrian regime's accession to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, which entered into force on 14 October 2013.

To date, the Syrian regime has not been held accountable for its illegal and repeated use of chemical weapons. To the contrary, regime forces have been permitted to kill, maim and injure Syrian civilians with impunity. It is time to change this.

The Syrian regime must face consequences for its deadly use of chemical weapons, including through the imposition of clear punitive sanctions aimed at deterring further atrocities by Syrian regime forces. Only the imposition of meaningful sanctions employed by the Security Council will stop the Syrian regime's chemical weapons attacks and deter future assaults that could imperil the lives of innocent civilians. Sanctions will also send a clear signal to the Syrian regime that its relentless efforts to kill, torture and eliminate those Syrians who dare to oppose its deadly politics will no longer be tolerated by the international community.

The need for Security Council action is not merely morally justified, it is legally required under paragraph 21 of Council resolution 2118 (2013), in which it is determined that the Council will impose measures under Chapter VII of the Charter of the United Nations in the case of non-compliance by anyone in the Syrian Arab Republic. Failure to enforce this resolution threatens not only to imperil the safety and security of Syrian civilians, it heightens the risk that deadly chemical agents may one day fall into the hands of terrorist groups. On behalf of the people of Syria, I ask that you act with urgency to ensure the full enforcement of Security Council resolution 2118 (2013) and end the cycle of impunity that has cost the lives of far too many of my compatriots.

(*Signed*) Najib **Ghadbian**
Special Representative of the Syrian Coalition to the United Nations